

DURHAM COUNTY COUNCIL

At a Meeting of **Statutory Licensing Sub-Committee** held in Council Chamber, Council Offices, Chester-le-Street on **Tuesday 29 November 2011 at 10.00 am**

Present:

Councillor B Arthur (Chair)

Members of the Committee:

Councillors E Bell and J Hunter

Other Members:

Councillors B Alderson and J Wilkinson

Also Present:

DCC

H Johnson – Licensing Team Leader

S Grigor – Legal Officer

Interested Parties

Councillor B Bainbridge

D Briggs

P Walsh

C Walsh

Mr Franklin

Applicants

I Woodcroft

T Reid

G Johns

S Shipley

S Sutcliffe

1 Declarations of Interest (if any)

There were no declarations of interest received.

2 Application for a Premises Licence, Savers, Front Street, Chester-le-Street

Consideration was given to the report of the Corporate Director, Neighbourhood Services which gave details of an application for a Premises Licence in respect of Savers, Front Street, Chester-le-Street (for copy see file of Minutes).

Councillor B Bainbridge stated that she objected to the application under the Licensing Objectives 'Protection of Children from Harm' and 'Prevention of Public Nuisance'.

Statistics showed that County Durham had problems directly related to excessive alcohol consumption, including underage drinking, violent crime, domestic abuse and teenage pregnancies. The County was ranked 315 out of 326 for under 18 hospital admissions and the total cost of alcohol misuse in County Durham was high. She outlined to Members initiatives that were in place to attempt to tackle these problems.

There were 2 schools within 600m of the premises and around 150-200 school children had access to the shops on a lunchtime. In her opinion Chester-le-Street had reached saturation point; within the area there were 192 licensed premises, 68 of which were in the town centre.

Mr D Briggs, Chester-le-Street Central Residents Association advised that the town experienced problems with anti-social behaviour and this was directly related to excessive alcohol consumption. Litter was also a problem.

As with all businesses in the town, residents wanted Savers to continue to be successful but they did not want the store to sell alcohol. Chester-le-Street had a number of nightclubs which attracted a large number of young people to the town and he believed that an additional outlet selling alcohol would exacerbate problems further.

Theft was a problem for shops in the town centre which increased during school holidays and he felt that Savers would also be a victim of increased theft, if alcohol was sold.

He asked Savers to withdraw their application. Other stores had done so and if this licence was granted he considered that it would encourage these premises to re-apply.

Mr I Moorcroft, the applicant's Solicitor addressed the Sub-Committee and responded to Mr Briggs' comments. The company currently held a number of Premises Licences in stores and they had not experienced any problems. This was a carefully considered application and the sale of alcohol would be consistent with the company's current mode of operation to buy branded products and sell them at discount prices.

He appreciated the concerns of residents but he noted that none of the responsible authorities had offered objections to the application.

85-90% of the alcohol purchased in their stores was wine, not beer or cider and additional conditions had been offered to discourage children. These included preventing the sale of single cans and limiting the strength of beer or cider to an ABV of 5.5%.

He outlined the systems and procedures the company had in place. This included its own accredited training, mystery shoppers, 6 monthly audits of the refusals register, the maintenance of an incident book and Challenge 25. They had also offered the additional conditions outlined in Appendix 5 and the CCTV system had been recently upgraded.

The shoplifting rate in their stores was below average and he referred Members to the conditions offered regarding the location of the alcohol display which would be adjacent to or in line of sight from the till points.

He did not consider that the store would contribute to the problems associated with the nightclubs in the town as alcohol would only be sold up to 6pm, other than an extension applied for during the 14 days prior to Christmas.

In response to questions from Members, the Manager stated that the store did not experience the volume of children over a lunch-time as other shops in the town because a lot of their products were sold as multi-packs. However Mr Moorcroft advised that they would be prepared to include a condition which would limit the number of schoolchildren allowed in the store to two at any one time. Details of the training programme provided to all staff in relation to alcohol sales was outlined to Members.

Members retired to determine the application at 10.37am. The applicants offered the Sub-Committee a copy of their 'due diligence' information to assist with their deliberations.

The Sub-Committee returned at 10.45am and the Chair delivered the Sub-Committee's decision.

In determining the application, Members considered the report of the Licensing Officer, Section 182 Guidance and the Council's Licensing Policy, together with the verbal representations of Councillor Bainbridge and Mr Briggs, interested parties, and the applicant's Solicitor, Mr Woodcroft.

RESOLVED

That the application for a Premises Licence be granted as follows:-

Opening Hours of the premises	Monday to Saturday – 08.30 to 18.00 Sunday 10.00 to 17.00 Finish time 22.00 on Monday to Saturday on the 14 days prior to 25 December Sunday Trading Law will be adhered to if hours restrictions (no more than 6 hours between 10.00 and 18.00) apply
Supply of Alcohol (off the premises)	Monday to Saturday – 08.30 to 18.00 Sunday 10.00 to 17.00 Finish time 20.00 on Monday to Saturday on the 14 days prior to 25 December Sunday Trading Law will be adhered to if hours restrictions (no more than 6 hours between 10.00 and 18.00) apply.

In addition, the following conditions be added:-

- a) No more than 3 linear metres to be used for the display of alcohol.
- b) No alcohol shall be sold in single cans
- c) No beer or cider may be sold with an ABV above 5.5%
- d) No alcohol to be displayed nearer than 8 metres from the entrance/exit doors
- e) Alcohol display will be adjacent to or in line of sight from the till points
- f) The CCTV system to be maintained and in full working order.